

EXHIBIT 5

Declaration of
LaTeigra Cahill

Marc J. Randazza, NV Bar # 12265
LaTeigra C. Cahill, NV Bar # 14352
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*Attorneys for Plaintiff
Dennis Hof*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

DENNIS HOF, an individual;

Plaintiffs,

vs.

NYE COUNTY; DAN SCHINHOFEN (in his
personal and official capacity as an
employee of Nye County); ANGELA
BELLO (in her official capacity); Timothy
Sutton (in his official and personal
capacity); JAMES OSCARSON (in his
personal and official capacity); DAN
SCHINHOFEN (in his personal and official
capacity as an employee of Nye
County); NYE COUNTY SHERIFF's OFFICE;
SHARON WEHRLY (in her official
capacity as an employee of Nye
County); JANE DOE; and JOHN ROE.

Defendants.

Case No. _____

**DECLARATION OF
LATEIGRA CAHILL**

I, LATEIGRA CAHILL, declare:

1. I am over the age of 18 years of age and I have first-hand knowledge
of the facts set forth herein, and if called as a witness could and would testify
competently thereto.

2. I am an attorney of record for Dennis Hof.

3. Pursuant to Local Rule 7-4, the nature of the emergency is that Mr. Hof's right to freedom of expression protected by the First Amendment of the United States Constitution and the Constitution of the State of Nevada, Article 1, § 9 have been violated and he seeks immediate injunctive relief.

4. On Friday, June 8, 2018, at approximately 12:13 pm, I participated in a conference call between District Attorney Angela Bello and Attorney Marc Randazza.

5. The nature of the call was a meet-and-confer regarding a political campaign sign our client had on a mobile trailer.

6. On the call, Bello stated first that mobile signs are not allowed in Nye County.

7. Bello further state that the Nye County Code had been recently amended to restrict political signs.

8. Bello stated that the amendment said that political signs could not be over 32 square feet.

9. Bello said that since the sign was political and was larger than 32 square feet, she planned to have the sign towed immediately.

10. Mr. Randazza asked whether the amendment only applied to political speech, and pointed out that that would be a content-based restriction, in violation of the First Amendment

11. Ms. Bello responded that the County is allowed to enact content based restrictions.

12. Mr. Randazza attempted to clarify her position and posed the following hypothetical: "So if Mr. Hof had a billboard that said Anthony Bourdain, Rest in Peace, that would be allowed?", to which Bello replied, "Yes, because the amendment only applies to political signs."

13. Randazza told Bello that he would seek an emergency temporary restraining order if she towed the mobile billboard.

14. Bello noted that the sign was in a public-right-of-way, and Mr. Randazza informed Bello that Hof moved the mobile Sign out of the right-of-way and on to his private property.

15. Bello did not change her position on whether the content-based amendment to the code was constitutional, but she specifically promised Mr. Randazza that she would **not have the trailer towed since Hof moved it to his private property.**

16. Taking Bello at her word, Hof did not seek a temporary restraining order prior to the Court closing.

17. However, by approximately 5:24 pm, I learned that the mobile billboard, with the political billboard, had been towed by the County off Hof's private property.

18. Although I initially thought the meet and confer was beneficial, we were apparently unable to resolve the matter without emergency court intervention.

19. Pursuant to LR 7-4(2), the office addresses are as follows:

a. Attorneys for Movant and Plaintiff Dennis Hof

Randazza Legal Group, PLLC
 Marc Randazza NV Bar # 12265
 LaTeigra C. Cahill, NV Bar # 14352
 2764 Lake Sahara Drive, Suite 109,
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 Tel: 702.420.2001
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b. Attorney for Defendants: Nye County; Angela Bello, James Oscarson; Dan Schinhofen; Nye County Sheriff's Office; Sharon Wehrly; Jane Doe; and John Roe.

Nye County District Attorney's Office

Angela Bello, District Attorney

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c. Rebecca Bruch, Esq. (SBN 7289)

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 9, 2018 at Las Vegas, Nevada.

/s/ LaTeigra C. Cahill

LaTeigra C. Cahill